

Application No. 10/692,618
Response dated Feb., 2004
Reply to Notice to File Missing Parts mailed on Feb. 4, 2004

Page 2 of 12

Appl. No. : 10/692,618
Applicants : Jaehwa Park, et al.
Filed : October 24, 2003
TC/A.U. : 2622
Examiner : Not Yet Assigned
Docket No. : CS21560RL

Confirmation No. 8790

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MAR 09 2004

OFFICIAL

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND AFFIDAVIT UNDER 37 C.F.R. §1.47(b)

In response to Notice of File Missing Parts of Nonprovisional Application mailed February 4, 2004 for the above mentioned application, please consider the following:

I, Shigeharu Furukawa, hereby declare and state that:

1. To my knowledge, Jaehwa Park is the co-inventor of the above listed patent application. Mr. Park conceived and reduced to practice the aforementioned invention while under the employ of Motorola. Under the terms of Mr. Park's employment agreement with Motorola (attached), Mr. Park is obligated to assign his invention to Motorola, and assist with the filing thereof, even after termination. As such Motorola, Inc. has a proprietary interest in the aforementioned invention. Mr. Park has since left the employ of Motorola.

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Response dated Feb., 2004
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2. Mr. Park's last known mailing address is:

Jaehwa Park
6467 Standridge Court
San Jose, CA 95123
(408) 227-6234 Home

3. On August 27, 2003, after Mr. Park left the employ of Motorola, my assistant attempted to contact Mr. Park by e-mail, which was never answered, and by telephone to his listed home number, which was found to be disconnected.

4. On September 30, 2003, my assistant sent a letter and document (tracking information attached) to Mr. Park asking his assistance with the filing of the present patent application and with the execution of the oath and declaration and assignment documents, in accordance with the aforementioned employment agreement. However, no response has been received.

5. By the terms of the attached employment agreement, signed by Mr. Park, Mr. Park agreed to assign the invention to Motorola, Inc.

6. I am authorized to act on behalf of the interests of Motorola, Inc., and do hereby make application for patent on behalf of and as agent for Mr. Park. Such action is necessary to preserve the rights of Motorola, Inc.

7. The documents attached herein are submitted as proof of the pertinent facts.

8. Authorization is hereby given to charge any fees under §1.17(i) or necessitated by actions taken herein to Deposit Account 50-2117.

Shigeharu Furukawa 3/9/04

Shigeharu Furukawa (date)
Agent
Reg. No. 50,481
Phone: (847) 523-1987 Fax: (847) 523-2350

Application No. 10/692,618
Response dated Feb., 2004
Reply to Notice to File Missing Parts mailed on Feb. 4, 2004



MOTOROLA
FAX TRANSMITTAL SHEET

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MAR 09 2004
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Motorola, Inc.
Intellectual Property Section
Law Department
600 North U.S. Highway 45
Libertyville, IL 60048

Telephone: (847) 523-1987
Facsimile: (847) 523-2350

12

Number of Pages (including this page)

Date: March 09, 2004
To: Commissioner for Patents
Location: United States Patent and Trademark Office
Fax No.: (703) 872-9306
From: Shigeharu Furukawa Registration No. 50,481
Subject: **Serial No. 10/692,618** Docket No. CS21560RL

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MESSAGE:

Enclosed herewith, please find:

- ☒ Petition and Affidavit under 37 C.F.R. § 1.47(b)
- ☒ Amendment Transmittal Form
- ☒ Fee Transmittal Form
- ☒ Address Search
- ☒ E-mail request
- ☒ FedEx USA Airbill 842738667020
- ☒ Employment Agreement
- ☒ Notice to File Missing Parts

PLEASE GIVE THESE PAPERS TO:

EXAMINER:	NOT YET ASSIGNED
GROUP ART UNIT:	2622
SERIAL NO.:	10/692,618
FILED:	OCTOBER 24, 2003
INVENTOR:	PARK, JAEHWA
CONFIRMATION NO.:	8790

Application No. 10/692,618
Response dated Feb., 2004
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ADMENDMENT TRANSMITTAL FORM		Application Number	10/692,618
(to be used for all correspondence after initial filing)		Filing Date	OCTOBER 24, 2003
		First Named Inventor	PARK, JAEHWA
		Group Art Unit	2622
		Examiner Name	NOT YET ASSIGNED
		Attorney Docket Number	CS2156RL
ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group	
<input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Fee Address Indication Form	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)	
<input type="checkbox"/> Response to Missing Parts Incomplete Application	<input type="checkbox"/> Terminal Disclaimer	Address search (1 page) E-mail request (1 page) FedEx USA Airbill 842738667020 (1 page) FedEx Track Shipments (1 page) Employment Agreement (1 page) Notice to File Missing Parts (2 pages)	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Small Entity Statement		
	<input type="checkbox"/> Request for Refund		
Remarks: Petition and Affidavit under 37C.F.R. § 1.47(b)			
CORRESPONDENCE ADDRESS			



Customer Number or Bar Code Label

or ☐ Correspondence address below

Name:	Motorola, Inc.		
Address:	Intellectual Property Department		
	600 North U.S. Highway 45, AS437		
City: Libertyville	State: Illinois	Zip Code:	60048
Country: USA	Telephone: 847-523-1987	Fax:	847-523-2350
Name (Print/Type) Shigeharu Furukawa	Registration No. 50,481		
Signature <i>Shigeharu Furukawa</i>	Date 3/9/04		

CERTIFICATE OF TRANSMISSION	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office Fax No. (703) 872-9306 on this date: March 9, 2004	
Typed or printed name: Shigeharu Furukawa	Date March 9, 2004
Signature <i>Shigeharu Furukawa</i>	

Application No. 10/218,545
Amendment dated Jan. 26, 2004
Reply to Office Action of Nov. 7, 2003

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEE TRANSMITTAL For FY 2004		Application Number		10/692,618																																																																																																																					
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METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																					
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account: 50-2117</p> <p>Deposit Account Name: Motorola, Inc.</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>Requesting publication of SI prior to Examination action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>Requesting publication of SI after Examination action</td><td></td></tr><tr><td>115</td><td>110</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>410</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>930</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,450</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,970</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>320</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>320</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>260</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,300</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,300</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>470</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>630</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>130</td></tr><tr><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>180</td><td>Submission of Information Disclosure Sheet</td><td></td></tr><tr><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>750</td><td>Filing a submission after final rejection (27 CFR § 1.128(a))</td><td></td></tr><tr><td>149</td><td>750</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179</td><td>750</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>189</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	Surcharge - late filing fee or oath		127	50	Surcharge - late provisional filing fee or cover sheet		139	130	Non-English specification		147	2,520	For filing a request for ex parte reexamination		112	920*	Requesting publication of SI prior to Examination action		113	1,840*	Requesting publication of SI after Examination action		115	110	Extension for reply within first month		116	410	Extension for reply within second month		117	930	Extension for reply within third month		118	1,450	Extension for reply within fourth month		128	1,970	Extension for reply within fifth month		119	320	Notice of Appeal		120	320	Filing a brief in support of an appeal		121	260	Request for oral hearing		138	1,510	Petition to institute a public use proceeding		140	110	Petition to revive - unavoidable		141	1,300	Petition to revive - unintentional		142	1,300	Utility issue fee (or reissue)		143	470	Design issue fee		144	630	Plant issue fee		122	130	Petitions to the Commissioner	130	123	50	Petitions related to provisional applications		126	180	Submission of Information Disclosure Sheet		581	40	Recording each patent assignment per property (times number of properties)		146	750	Filing a submission after final rejection (27 CFR § 1.128(a))		149	750	For each additional invention to be examined (37 CFR § 1.129(b))		179	750	Request for Continued Examination (RCE)		189	900	Request for expedited examination of a design application	
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SUBMITTED BY

Name (Print/Type)

Shigeharu Furukawa

Reg. No. (Atty/Agent)

50,481

App. No. 10/692,618
6 of 12**Jaehwa Park Public Records Search!**

Search Information: Find Person | Reverse Phone | Reverse Address | Area & ZIP Code
Searched terms: "Park, Jaehwa, CA, 95123" 1 Result

Park, Jaehwa
6467 Standridge Court
San Jose, CA 95123
(408) 227-6234

» 1 / 1

[More Info for Jaehwa Park](#)

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Jaehwa Park's 20-Year Personal History!



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Appl. No. 10 / 692, 618
7 of 12

Magness Jennifer-wjm013

From: Magness Jennifer-wjm013
Sent: Wednesday, August 27, 2003 9:54 AM
To: 'jae-hwapark@unn.unisys.com'
Subject: Patent Application Docket No. CS21560RL
Importance: High

Jaehwa

We are preparing to file the above referenced patent application which you are lead inventor. I understand you have relocated and I would like to forward the papers to you at your current address. Please provide your current mailing information and telephone number for our records.

If you have any questions or if I can be of assistance in any way please feel free to contact me.

Best Regards

Jennifer Magness

Administrative Assistant
Intellectual Property Section
Motorola Law Department
600 North U.S. Highway 45, AN475
Libertyville, IL 60048
847-523-2345

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Appl. No. 10/692,618
8 of 12**FedEx** *USA Airbill* **8427 3866 7020**

Express

FedEx
Billing
Number1 From *Address and zip code*

Date 9/30/03

Sender's FedEx
Account Number

1774-8004-5

Sender's
Name Jennifer Magness

Phone (847) 523-1267

Company MOTOROLA LAW DEPT/AC930

Address 600 N US HWY 45

City LIBERTYVILLE

State IL ZIP 60048

2 Your Internal Billing Reference

00TIOAI

3 To Recipient's
Name Jaetha Park

Phone (408) 227-6234

Company

Address 6467 Standridge Ct.

3 Your external billing address

Reference Number

Address

City San Jose

State CA ZIP 95123

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5 Packaging

☒ FedEx Envelope☐ FedEx Pak☐ Other

6 Special Handling

☐ Fragile☐ Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ No☐ Yes☐ Other☐ Signature Required☐ Signature Restricted☐ Other☒ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other☐ Signature Required☐ Signature Restricted☐ Other


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Appl. No. 10/692,618

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Tracking number 842738667020
Signed for by 14483550
Ship date Sep 30, 2003
Delivery date/Time Oct 1, 2003 6:32 pm

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Service type

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Date/Time	Status	Location	Comments
Oct 1, 2003	6:32 pm Delivered	SAN JOSE CA	No signature required - release waiver on file
	6:32 pm Delivered	SAN JOSE CA	No signature required - release waiver on file
	1:37 pm Delivery attempt	SAN JOSE CA	Customer not available or Business closed
	9:00 am Left FedEx Ramp	SAN JOSE CA	
	9:00 am Arrived at FedEx Ramp	SAN JOSE CA	
	8:33 am On FedEx vehicle for delivery	SANTA CLARA CA	
	8:27 am On FedEx vehicle for delivery	SANTA CLARA CA	
	7:37 am Arrived at FedEx Destination Location	SANTA CLARA CA	
	4:37 am Left FedEx Sort Facility	MEMPHIS TN	
	12:40 am Left FedEx Sort Facility	MEMPHIS TN	
Sep 30, 2003	9:04 pm Arrived at FedEx Ramp	CHICAGO IL	
	9:04 pm Left FedEx Origin Location	WAUKEGAN IL	
	7:20 pm Picked up by FedEx	WAUKEGAN IL	

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**MOTOROLA****EMPLOYMENT AGREEMENT**

In consideration of my employment, or continued employment by Motorola, or its subsidiaries (referred to separately or together as Motorola) and the salary or wages paid to me, I understand and agree to the following provisions for the protection of Motorola property rights:

1. Not to disclose to Motorola, or use in my work at Motorola (a) any confidential information belonging to others, including my prior employers (unless written authorization is first obtained), or (b) any prior inventions made by me which Motorola is not otherwise entitled to learn of or to use.
2. Not to use, or publish, or to otherwise disclose to others, either during or subsequent to my employment by Motorola, any confidential information of Motorola or its customers, except as my Motorola duties may require.
3. Upon termination of my employment by Motorola, to promptly deliver to a designated Motorola representative all documents and other records which relate to the business activities of Motorola, or any other materials which belong to Motorola.
4. To assign and I hereby assign to Motorola as its exclusive property the entire right, title and interest in all my inventions, innovations, or ideas developed or conceived by me solely, or jointly with others, at any time during the term of my employment and which inventions, innovations, or ideas relate to the actual or anticipated business activities of Motorola, or result from, or are suggested by, work which I do for Motorola.
5. To make and maintain written records of all inventions, innovations, or ideas referred to in paragraph 4 above and to submit promptly such records, and supplemental oral disclosures, to designated representatives of Motorola.
6. To execute all papers, and otherwise provide proper assistance, at Motorola's request and expense, during and subsequent to my employment by Motorola to enable Motorola or its nominees to obtain patents, copyrights, and legal protection for inventions or innovations in any country.
7. I represent that the inventions identified in the 0 pages I attach hereto comprise all the unpatented inventions which I have made or conceived prior to my employment by Motorola, which inventions shall be excluded from this agreement. (It is only necessary to list the title of such inventions and the purpose thereof, but not details of the invention itself per paragraph 1(b)). IF THERE ARE NO SUCH UNPATENTED INVENTIONS TO BE EXCLUDED, EMPLOYEE INITIAL HERE JP
8. I further represent that I have attached hereto a copy of any agreement which presently affects my compliance with the terms of this present agreement. (Such copy must specify the other contracting party or employer, the date of such agreement, the date of termination of any employment). IF THERE IS NO SUCH AGREEMENT, EMPLOYEE INITIAL HERE JP

This agreement replaces any existing employee agreement between Motorola and me regarding patents and/or confidential information and shall be binding on my executors, administrators, heirs, legal representatives or assigns.

This agreement may not be modified except in writing with approval of an officer of Motorola.

WITNESS		EMPLOYEE	
SIGNATURE <u>Chang</u>	SIGNATURE <u>Jaehwa Park</u>		
TYPED OR PRINTED NAME <u>Susana Chang</u>	TYPED OR PRINTED NAME <u>JAEHWA PARK</u>		
DATE <u>1/02/01</u>	DATE <u>1/02/01</u>		

Distribution: White Patent Dept, Canary Personnel Folder, Pink Employee Copy

SPD 14434 (7/84)



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/692,618	10/24/2003	Jaehwa Park	CS21560RL

20280
MOTOROLA INC
600 NORTH US HIGHWAY 45
LIBERTYVILLE, IL 60048-5343

CONFIRMATION NO. 8790

FORMALITIES LETTER



OC000000011825446

Date Mailed: 02/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Jaehwa Park
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Alma Ros-faye

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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